

BILL NO. Z-96- 01-04

ZONING MAP ORDINANCE NO. Z- 02-96

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. V-42.

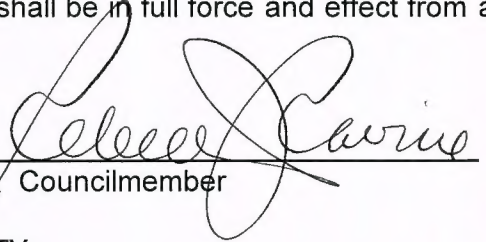
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a POD  
(Professional Office) District under the terms of Chapter 157 Title XV of the Code of the  
City of Fort Wayne, Indiana of 1974:

A part of the Northwest Quarter of Section 15, Township 31 North, Range 13  
East, commencing at the Northwest corner of said section, thence East along the  
North line of said section on a line South 89 degrees 00' 48" East, 511.89 feet,  
thence South 00 degrees 24' 02" East 617.32 feet, thence West on a line North  
84 degrees 25' 16" West, 514.66 feet, thence North on a line North 00 degrees 24'  
02" West 575.82 feet to the place of beginning containing 7.01 ± acres.

and the symbols of the City of Fort Wayne Zoning Map No. V-42, as established by  
Section 157.016 of Title XV of the Code of the City of Fort Wayne, Indiana are hereby  
changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after  
its passage and approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Garnie,  
and duly adopted. Read the second time by title and referred to the  
committee on Regulations (and the City Plan Commission  
or recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City County Building, Fort  
Wayne,, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, M., E.S.T.

DATED: 1-9-96 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst,  
and duly adopted, placed on its passage. PASSED LOST  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BENDER	✓			
CRAWFORD	✓			
EDMONDS				✓
HALL	✓			
HAYHURST	✓			
HENRY	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT				✓

DATED: 2-27-96 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-02-96  
on the 27th day of February, 1996

ATTEST: (SEAL)  
Sandra E. Kennedy Rebecca Prairie  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 28th day of February, 1996,  
at the hour of 11:00 o'clock A., M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 4th day of March,  
1996, at the hour of 2:00 o'clock P M., E.S.T.  
Paul Helmke  
PAUL HELMKE, MAYOR



RECEIPT

OLC # 3963

No 18469

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., Dec 14, 1995

RECEIVED FROM DESIGN Collaborative \$650<sup>00</sup>

THE SUM OF Six Hundred Fifty and no/100's DOLLARS

ON ACCOUNT OF Rez & P2i Dev. Plan  
7300 Maplecrest & Anthony W. E. O. J.

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE





# Petition for a Zoning Map Amendment

Community & Economic Development / 1 Main Street Rm 830 / Fort Wayne, IN 46802 / (219) 427-1140

#604  
We Indiana Kentucky Conference, United Church of Christ do hereby petition to amend the Zoning Map of the City of Fort Wayne Indiana, by reclassifying from a/an R-3 designation to a/an POD designation, the property located at the common street address of: \_\_\_\_\_ and further described as follows:

W 811.25 FT N 1/2 NW 1/4 EX. S 16 FT \* EX NE PT \* EX

TRS SEC. 15

(Please attach a legal description if more space is needed.)

The purpose of this proposed rezoning is to permit the use of the property for the following:

PROFESSIONAL OFFICE DEVELOPMENT

Property owners Name(s): INDIANA KENTUCKY CONFERENCE, UNITED CHURCH OF CHRIST

Street Address: 201 N. ILLINOIS ROAD, SUITE 400

City: INDIANAPOLIS State: IN Zip: 46204 Phone: (317) 237-6437

Applicants Name (if different from above): DESIGN COLLABORATIVE, INC. (RON DICK)

Street Address: 108 W. COLUMBIA ST.

City: FT. WAYNE State: IN Zip: 46802 Phone: (219) 422-4241

I/We the undersigned, do hereby certify that I am/We are the owner(s) of more than fifty percent (50%) of the property described in this petition; that I/we agree to abide by all provisions of the Fort Wayne Zoning Ordinance as well as all procedures and policies of the Fort Wayne City Plan Commission as relating to the handling and disposition of this petition; and that the above information is true and accurate to the best of my/our knowledge.

X INDIAN KENTUCKY CONFERENCE UNITED CHURCH OF CHRIST 12/12/95  
Signature Wm R. Rieser Printed Name Wm. R. RIESER Date Chm. Asset Mgmt Comm.  
Signature \_\_\_\_\_ Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Printed Name \_\_\_\_\_ Date \_\_\_\_\_

## Notes to the Applicant:

- If additional space is needed for either a legal description, or property owners names addresses and signatures, please attach same to this form.
- All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice being submitted to the newspaper for publication.
- Filing of this petition grants the City of Fort Wayne permission to post "Official Notice" on the petitioned property. Failure to post, or to maintain posting may prevent the public hearing from being held.
- All checks should be made payable to: City of Fort Wayne.

Name and address of preparer, attorney or agent.

RONALD F. DICK

(219) 422-4241  
Telephone Number

DESIGN COLLABORATIVE, INC.

108 W. COLUMBIA STREET FT. WAYNE, IN 46802

Form Rez494

Receipt #:

Date Filed:

Map #:

Reference #:



FEB 06 '89 13:00 INDIANA KENTUCKY UCC

P. 26/32

Page 1 of 2

# CERTIFICATE OF SURVEY



TURNBELL  
ENGINEERING  
CO., INC.

ENGINEERS & SURVEYORS  
ROBERT C. TURNBELL, P.E., L.S. MARK L. STRONG, P.E., L.S. KEITH E. SMITH, L.  
FORT WAYNE, INDIANA 46805

The undersigned Land Surveyor, registered as provided by Acts of the General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, conformed with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:

See 2 of 2 for description page

N.W. CORNER  
N.W. 1/4, SEC. 16  
T31N, R12E

E. ROTHMAN

N. LINE N.W. 1/4 SEC. 15, T31N, R13E  
ABCD -

POINT OF BEGINNING

RR SPIKE FOUND

S 89° 00' 48" E 511.89

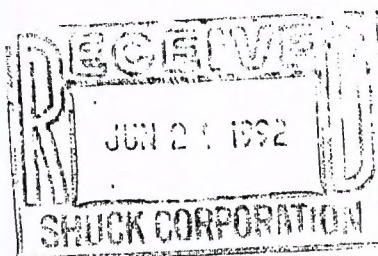
-1250

W. LINE, N.W. 1/4 SEC. 15, T51N, R13E

100° 24' 02" W 575.82

E. MAPLECREST RD.  
150' UTILITY EASEMENT

7.01 = ACRES



S. 00° 24' 02" E 61732'

NRK:ST

N 84° 25' 16" W 514.66'

1. R. FOUND

### Legal Description

A part of the Northwest Quarter of Section 15, Township 31 North, Range 13 East commencing at the Northwest corner of said section, thence East along the North line of said section on a line South 89 degrees 00' 48" East, 511.89 feet, thence South 00 degrees 24' 02" East 617.32 feet, thence West on a line North 84 degrees 25' 16" West, 514.66 feet, thence North on a line North 00 degrees 24' 02" West 575.82 feet to the place of beginning containing 7.01± acres.



## RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 9, 1996 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-96-01-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 22, 1996.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 29, 1996.

Certified and signed this  
5th day of February 1996.



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Carol Kettler Sharp  
Secretary

# FACT SHEET

Z-96-01-04

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Map Amendment		
From R-3 to POD		

### DETAILS

<b>Specific Location and/or Address</b>  Southeast corner of Rothman and Maplecrest Roads.
<b>Reason for Project</b>  A 4-building, 35,300 sq.ft. Professional Office Development.
<b>Discussion (Including relationship to other Council actions)</b>  <u>22 January 1996 - Public Hearing</u>  (See Attached Minutes of Meeting)    <u>29 January 1996 - Business Meeting</u>  Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.  Of the eight (8) members present, seven (7) voted in favor of the motion, the Chair did not vote. Motion carried.  Members Present: Linda Buskirk, Ernest Evans, DeDe Hall, James Hoch, Stanley Phillips, Thomas Quirk, Dave Ross, Carol Kettler Sharp  Member Absent: Richard Pierce

### POSITIONS

### RECOMMENDATIONS

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/ Proponents</b>	Applicant(s) IN Kentucky Conference, United Church of Christ City Department  Other
<b>Opponents</b>	Groups or Individuals  Basis of Opposition
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
<b>CITY COUNCIL ACTIONS (For Council use only)</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass



TAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 14 December 1995

Projected Completion or Occupancy

Date 5 February 1996

Fact Sheet Prepared by  
Patricia Biancaniello

Date 5 February 1996

Reviewed by

Date February 8, 1996

Reference or Case Number

- b. Bill No. Z-96-01-04 - Change of Zone #604  
From R-3 to POD  
Southeast corner of Maplecrest & Rothman Roads

Primary Development Plan - Associated Family Medical Consultants

Ron Dick, architect, with Design Collaborative appeared before the Commission for the petitioners along with Dr. Patrick Holly, 12823 Calaway Drive and John Seculoff, 322 Bluecliff Place. Mr. Dick stated that they want to rezone the property in order to develop it into a professional office park. He stated that they intend to do this in two phases. He stated that their initial plan is to build a 6,000 sq ft primary care physicians office. He stated that there is an existing structure and parking lot on the property. He stated that Dr. Patrick Holly has done demographic studies in the area.

Dr. Patrick Holly, 12823 Calaway Dr stated that from a demographic standpoint the "35" zip code has a need for physicians to number 25, based on the population. He stated that current demographics show that there is one pediatrician and a dentist in that zip code. Otherwise there is no current physicians offices in the zip code. He stated that there is a need for 23½ physicians.

Ron Dick stated that Phase I is the 6,000 sq ft building, utilizing the existing parking lot and the existing entry from Rothman Road. He stated that they have met with the engineering departments and they are working on the issues regarding the property. He stated that they hope to have everything worked out and be able to submit for secondary plat approval in mid-February. He stated that their overall thrust is the 3-5 year range, as is shown on the primary development plan. He stated that they want to connect Rothman Road to Maplecrest Road with a through street and serve then some like facilities in the range of 6,000 and 7,000 sq ft single story structures. He stated that when the entire site is developed it will total approximately 35,000 sq ft on the entire site.

Ernest Evans questioned what they would do with the existing structure until it is demolished.

Mr. Dick stated that it will be given a "facelift" and rent it for a professional office. He stated that it would be occupied until the subsequent phases are built, at which time it will be torn down.

He stated that they have been dealing for the last several weeks with the Sewer Engineering Department and they feel that they have gotten to a satisfactory resolution for the sewer situation in the area.

DeDe Hall asked when Phase I would be started.

Mr. Dick stated that if all goes well they would like to start Phase I in the spring.

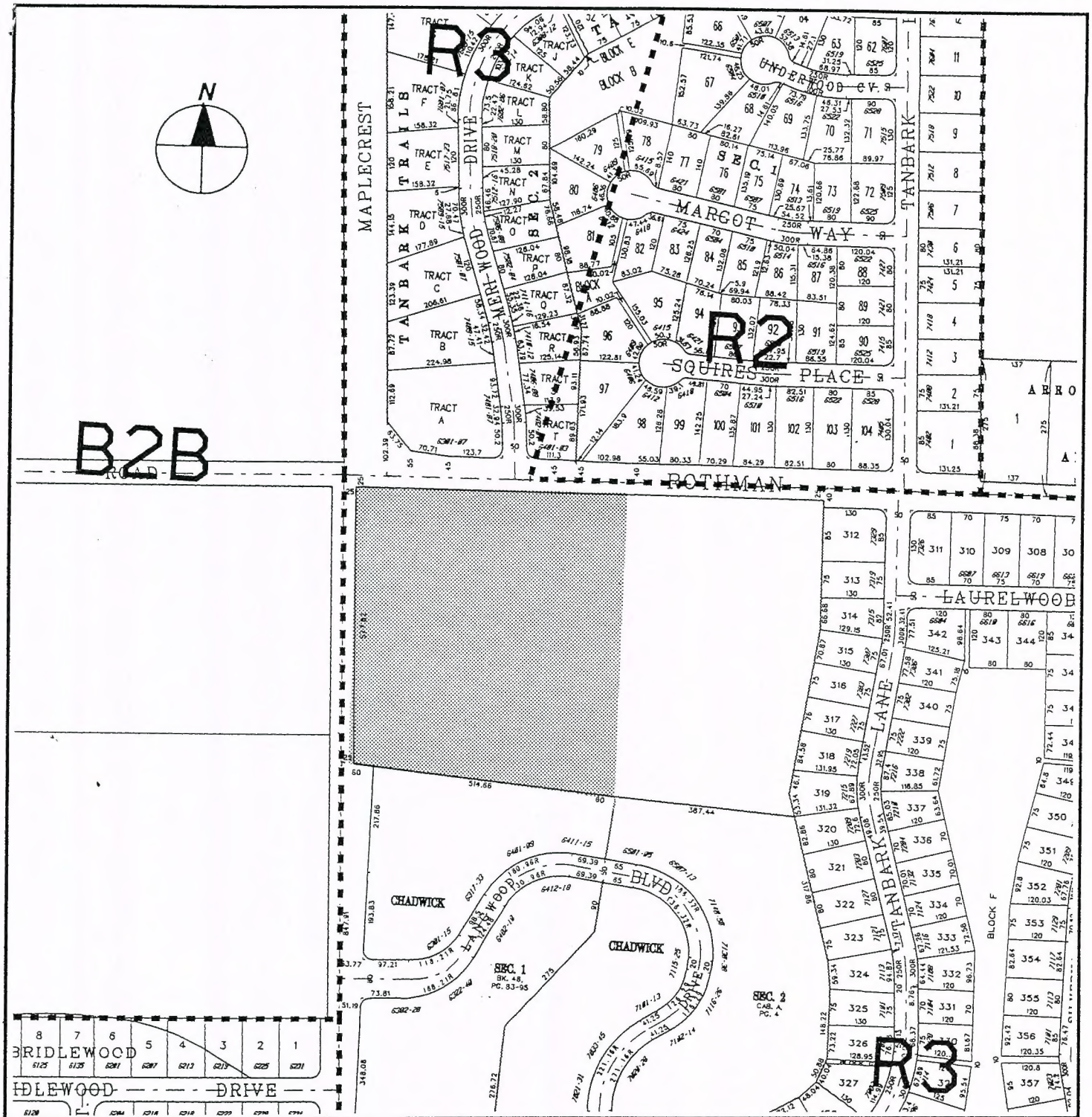
There was no one else present who spoke in favor of or in opposition to the proposed rezoning and primary development plan.



# REZONING PETITION

AREA MAP

CASE NO. #604



COUNCILMANIC DISTRICT NO. 2

Map No. V - 42

LW 12-12-95

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

ORIGINAL

ORIGINAL

#604

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE The Southeast corner of Maplecrest  
and Rothman Roads. (7300 Block of Maplecrest Road)

2-96-01-04

EFFECT OF PASSAGE Property is currently zoned R-3 - Multi-Family  
Residential. Property will be rezoned - POD - Professional  
Office District.

EFFECT OF NON-PASSAGE Property will remained zoned R-3 - Multi-  
Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_



BILL NO. 7-96-01-04

REPORT OF THE COMMITTEE ON  
REGULATIONS  
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort  
Wayne Zoning Map No. V-42

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Alcega Curran*

*Thomas E. Hayhurst*

*Martin A. Bunk*

*John A. Cunningham*

*Bob Bunk*

*Thomas E. Hayhurst*

*Frankie Smith*

*Nedra Hall*

DATED: 2-27

Sandra E. Kennedy  
City Clerk